

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application ) PATENT APPLICATION  
Inventor(s): Livak, et al. )  
Application No.: 08/558,303 )  
Filed: November 15, 1995 )  
Title: HYBRIDIZATION ASSAY USING )  
SELF-QUENCHING FLUORESCENCE PROBE )

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DECLARATION FOR PATENT APPLICATION  
(CONTINUATION-IN-PART)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if one name is listed below), first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HYBRIDIZATION ASSAY USING SELF-QUENCHING FLUORESCENCE PROBE**

the specification of which (check applicable ones):

- ☐ is attached hereto;
- ☒ was filed with the above-identified "Filed" date and "SC/Serial No."
- ☐ was amended on (or amended through) .
- ☒ The present application is a continuation-in-part of Prior Application, Application No. 08/340,558, filed: November 16, 1994 and may be considered to disclose and claim subject matter in addition to that disclosed in the Prior Application, and I hereby claim the benefit of 35 U.S.C. Section 120.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56, including information which became available between the filing date of the Prior Application and the national or PCT international filing date of the present application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

09207470-120798

(1) Full name of sole  
or first inventor: Kenneth J. Livak

(1) Residence: 1148 Polk Lane  
San Jose, CA  
95117

(1) Post Office Address: Same as Above

(1) Citizenship: United States of America

(1) Inventor's signature: Kenneth J. Livak

(1) Date: 2/22/96

(2) Full name of second  
joint inventor: Susan J.A. Flood

(2) Residence: 42931 Peachwood Street  
Fremont, CA  
94538

(2) Post Office Address: Same as Above

(2) Citizenship: United States of America

(2) Inventor's signature: Susan J. Flood

(2) Date: 2/21/96

(3) Full name of third  
joint inventor: Jeffrey Mamoro

(3) Residence: 15154 E. Wesley Avenue  
Aurora, CO  
80014

(3) Post Office Address: Same as Above

(3) Citizenship: United States of America

(3) Inventor's signature: \_\_\_\_\_

(3) Date: \_\_\_\_\_

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86/021" 07/02/98

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or first inventor: Kenneth J. Livak

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95117

(1) Post Office Address: Same as Above

(1) Citizenship: United States of America

(1) Inventor's signature: \_\_\_\_\_

(1) Date: \_\_\_\_\_

(2) Full name of second  
joint inventor: Susan J.A. Flood

(2) Residence: 42931 Peachwood Street  
Fremont, CA  
94538

(2) Post Office Address: Same as Above

(2) Citizenship: United States of America

(2) Inventor's signature: \_\_\_\_\_

(2) Date: \_\_\_\_\_

(3) Full name of third  
joint inventor: Jeffrey ~~Mamora~~ Marmaro

(3) Residence: 15154 E. Wesley Avenue  
Aurora, CO  
80014

(3) Post Office Address: Same as Above

(3) Citizenship: United States of America

(3) Inventor's signature: *JJM Marmaro*

(3) Date: 2-22-96

(4) Full name of fourth

joint inventor: Khairuzzaman Bashar Mullah

(4) Residence: 32804 Regents Blvd.

Union City, CA

94587

(4) Post Office Address: Same as Above

(4) Citizenship: Bangladesh

(4) Inventor's signature: *KBM Mullah*

(4) Date: 2/21/96

09207170-120798

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

IN RE PATENT APPLICATION OF )

Perkin-Elmer Corporation )

Application No. 08/558,303 )

Filing Date: November 15, 1995 )

Title: HYBRIDIZATION ASSAY USING )  
SELF-QUENCHING )  
FLUORESCENCE PROBE )

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**POWER OF ATTORNEY BY ASSIGNEE**  
**TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71**  
**WITH REVOCATION OF PRIOR POWERS**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints Paul Davis, Reg. No. 29,294, Mark A. Haynes, Reg. No. 30,846, David J. Weitz, Reg. No. 38,362, Kent R. Richardson, Reg. No. 39,443, and Paula N. Chavez, Reg. No. 34,798 to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

\_\_\_ the Assignment recorded on \_\_\_\_\_ at reel \_\_\_, frames \_\_\_ - \_\_\_.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

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"0270260"

Direct all telephone calls to **David J. Weitz**, (415) 233-0188.  
Address all correspondence to:

Paul Davis  
HAYNES & DAVIS  
2180 Sand Hill Road, Suite 310  
Menlo Park, California 94025-6935

ASSIGNEE: Perkin-Elmer Corporation

Name: Michael Hunkapiller  
(Signature)

Name: Michael Hunkapiller  
(Print or Type)

Title: Vice President

Date: 3/6/1996

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